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ABSTRACT

Conference efforts were directed toward developing new insights into the trustee's role as it relates to major program areas of an institution. The following areas were discussed and the importance of trustees being informed about them stressed: continuing education, career programs, transfer programs, accreditation, and professional negotiations. Continuing education and career or occupational programs are seen as services to the community; trustees are needed to interpret them to the community. Trustees should understand the place of transfer programs in the overall scheme of a college, and assist in creating an atmosphere in which problems or conflicts can best be solved. In the discussion on accreditation, frankness in communication among trustees, faculty, and administration is stressed. The trustee's function in, preparation for, and reaction to collective professional bargaining are discussed. (CA)

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Report on the Proceedings

of the Fourth Annual Conference

for Pennsylvania Community College Trustees

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LOS ANGELES

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FOREWORD

The community college is one of the most dynamic movements in higher education today. Its potential for extending existing provisions for the educational aspirations of the American public is widely acclaimed.

The purpose of this conference was to consider, at length, the role of the community college Trustee in relation to the major program areas of the institution. Efforts were not directed toward the establishment of a consensus, but rather toward the development of new insights into the Trustee's role.

Gratitude should be expressed to the Community College Presidents' Council for providing the facilities and resources necessary to the success of this endeavor and to the Commissioner for Higher Education, Dr. Frederic K. Miller; Assistant Commissioner, Dr. Louis W. Bender; and the Director of the Bureau of Management Services, Mr. Robert M. Knoebel, for their support of this conference.

I should also like to personally express appreciation to all who contributed by presenting papers, leading discussions as panelists, and especially to the many Trustees who indicated their interest in the issues under consideration by participating fully in the deliberations.

It is hoped that publication of these proceedings will prove helpful to all who share an interest and a concern for the future development of community colleges in the Commonwealth.

James P. Murphy
Bureau of Academic Services
Pennsylvania Department of Education

The Role of the Trustees and Continuing Education

It is recognized that the two-year public community college is one of the most unique and dynamic educational institutions in the nation today. It is an intermediate institution with its own identity servicing a broad area of educational needs between the secondary school and the four-year college and university. A truly comprehensive, flexible educational program is essential and should reflect the needs of citizens, business, industry and civic organizations in the community.

Service to the community, beyond offering collegiate degree and certificate programs, has long been a major objective of the community college. Whether called adult education, continuing education, public service, community education, or community services, the objective has been to serve the community through credit and non-credit courses, counseling services, cultural activities and a wide range of educational services which are directed toward specific personal or community needs rather than toward the attainment of degrees or certificates.

That the obligations of the community college Trustees encompass a commitment to community service seems to very clear.

The three basic responsibilities of the Board of Trustees of a community college are:

1. To confirm the objectives of the institution;
2. Adopt the overall policies and statement of the purposes of the educational program of the college;
3. To evaluate or appraise the results of the policies.

Therefore, within the framework of these basic documents, the Board must decide what the institution is going to accomplish, whom it is to serve, and how these goals are to be achieved.

Going beyond the statement of policy and statement of purpose, the Board must:

1. Be committed to the comprehensive college philosophy;
2. Act as a sounding board from the community to the administrators and from the college to the community in all matters pertaining to the educational programs;
3. Provide resources including specialized facilities and extra funds for specialized community service offerings over and above the normally expected programs.

The benefits of a continuing educational service program to the college community are many. Of primary importance is fulfilling the college's commitment to provide educational opportunities that will permit the youth and adults of the area to enrich their lives and advance their careers to the limit of their desires and capabilities. The increased social and economic well-being enjoyed by individuals who avail themselves of these opportunities on a continuing basis will be reflected in the growth and development of the business, industry, professional, public service and civic segments of the community.

The Role of the Trustees and Continuing Education - continued

Boards of Trustees might consider several steps to further develop this important and underdeveloped mission of the community colleges:

1. Develop a positive policy statement concerning a commitment to continuing education;
2. Learn as much about your college's continuing education program as you have learned about the occupational and parallel programs;
3. Commit a fair share of resources to the college:

    a. Human resources in the form of committed and dedicated staff;
    b. Provide operating funds for instruction and related activities;
    c. Provide adequate physical facilities for the specialized needs of the continuing education program.

If continuing education service is to realize its full potential as part of the basic foundation of community colleges, additional effort must be made by all segments of the community college family.

Items of importance that developed during the section meeting that were not made a part of the formal position paper, but which should be considered for publication, are:

1. Programs should be structured to give adults with full-time jobs an opportunity to upgrade their skills;
2. Offer classes in disadvantaged areas -- establish a sub-campus;
3. Consider opportunities of off-campus -- classes in plants, seminars, training programs - using business and industr facilities;
4. Programs geared to middle employment groups;
5. Nature of student body will determine types of programs, i.e., veterans, students over 21 who want a second chance, college dropouts, mature adults, of course.

Topic Chairman: Mr. William Taylor, Jr.
Resource Person: Mr. John Kraft
Topic Recorder: Dr. Douglas Libby, Jr.

The Role of the Trustees and Career Programs

The community college has a very unique role to play in the development of the principle of universal higher education which we in the United States have accepted as part of our new cultural development. Our basic acceptance of "college for all" is based upon the lessons of history as well as upon our technological development. In tracing the decline and fall of nations, one can make a good case that many of these nations succumed because 90 percent of their people were not even minimally educated. There is evidence, for example, that violent revolutions result when the literate 10 percent can no longer communicate with the 90 percent who are not so educated. However, the idea of college for all does present certain problems. For one thing, the sheer numbers generate an impersonality in higher education that, by the latest poll, is probably the number one cause of current campus unrest; and for another thing, universal higher education brings an unbelievably wide range of individual differences into the classroom.

Our understanding of universal higher education is that provision be made for any high school graduate, who chooses to seek an education beyond that provided by the high school, to have his talents discovered and to be developed to the utmost in the interest of society. The community college in providing a comprehensive program has had the courage to say to the rest of American higher education, "Anybody can educate the high quality student. Let's see you salvage the dropout." Operating under the assumption that every student who knocks at its door has potential and a desire to learn, providing that a suitable environment can be established, the community college has established this challenge, and in doing so has realized the need for innovative approaches to stimulate learning and to experiment to develop new approaches to individualized instruction.

Furthermore, it has also recognized that education not only enhances the student's personal development but enlarges his sense of responsibility towards the needs of society by providing programs in general education which aim to develop the whole person who exists in a significant relationship to others and himself. It has also recognized that to implement environments where such learning can take place necessitates the provision of all types of resources - the written word, the laboratory, the equipment for programmed learning, the informed human being, the relevant community experience - with which the student may nuture his interest. It is also necessary to provide close, human, communicative interaction between real persons - student and student and faculty and student; and through such interaction focus on real problems, personal and emotional as well as intellectual and professional which confront the student in his work. By such means the student develops into a self-disciplined, critical learner who is able to evaluate his own contribution as well as those of others. In such an environment the student does not strive for the approval of others, but is working in terms of his own socialized and self-actuating purposes, and adapting intelligently, flexibly, and creatively to new problem situations.

In such environments curricula are integrated with methods which maximize learning, and materials are empirically designed, behaviorally

oriented, up to date, intensive, adapted to the learner and relevant to his environment. Students in such programs are involved in curricula which reflect the realities of their environment and include such topics germane to actual problems of nutrition, disease, sanitation, water supply, family size, personal income, job security, entertainment, crime, drug use, health insurance, and dozens of other problems relevant to life today.

Teachers in such learning environments know how to use modern educational technological tools, are systems oriented, develop student-centered approaches and facilitate learning; they do not direct it, dictate it, nor impede it.

This is the comprehensive community college program whose governance is in the hands of Boards of Trustees whose members reflect the needs and aspirations of their respective communities and have the responsibility to determine both the format of instruction and the types of programs to be offered. Will the format be based on one instructional approach or will a variety of approaches be utilized? Will the same textbooks and other media be used for all students, or will variety be available? The Board's responsibility is to understand fully what instructional program, including the mixture of media and methods, is being recommended and to make a commitment to a particular program. It is then the Board's responsibility to honor that commitment with funds necessary to allow the instructional program a fair opportunity to succeed, to stand firm before the inevitable critics, and possibly the most difficult assignment of all, to maintain objectivity throughout the evaluation of the instructional program.

Experience of most community colleges indicate that administrative laissez-faire policy will result in an enrollment of seven transfer students for each occupational student. Obviously , then, to prevent students from enrolling in courses in which they probably will not succeed and in which many have no real interest, it is necessary for Board members to establish and insist upon the implementation of two priorities:

1. A rich offering of occupational programs which reflect the needs of the community they serve, and

2. Counseling in occupational areas so that students will be interested and drawn into areas where they can be successful.

The uniqueness of the American system of higher education is that leadership and the highest level of administrative responsibility is vested in lay persons who are representative and close to the institution's constituency. This type of organizational structure makes for the uniqueness of the community college in that it is afforded the opportunity to innovate and develop a variety of occupational programs to meet the community needs for trained technicians. The members of the Board of Trustees are in a most unique position to assist the college in implementing this unique objective of the higher education program. Yet most community colleges although anxious to share in this responsibility to the community have difficulty in developing and maintaining such programs. It is the Board's responsibility to identify and resolve the problems that inhibit the expansion of such programs. Since the organizational structure of the college will determine the scope and service of technical and career educational programs, the Board's participation will be

one of the most important features for implementing the growth of these programs. It is their responsibility to see that after the President has delegated this responsibility to the Dean of the Technical and Career Programs (or other appropriate administrative officer) that this individual's stature is in consonance with the responsibility which is imposed on him. The Board members whose knowledge of the community, its resources, its industries, and its constituency are taken for granted by the appoinging agency, whether it is the Governor or local Commissioners, will respond to this responsibility by assisting the college administration in identifying the occupational needs through necessary and appropriate surveys and then provide the necessary capital outlay and through systematic budgeting for equipment maintenance and replacement make the growth possible.

The Board members will also provide leadership in developing effective advisory committees in each of the occupational areas in which programs are offered. It appears that occupational programs need to be interpreted to the community while the transfer programs seem to be taken for granted. The Board is an immediate and key group of lay officials who must be thoroughly educated to the role of occupational education at the community college level. Not only does the Board control the purse strings essential to the further development of occupational education, as has been indicated above, but its members are invariably active in economic, civic and political relationships, their understanding and belief in programs, once attained, provide one of the most effective communication avenues to community-wide groups and leaders. The Board should be receptive to the President or Dean of Technical Education and request the presentaiton of technical education progress at its regular meetings: curriculum, building improvement, faculty or student achievements, campus developments. Such positive information reports will help the Trustees to be involved and learn to appreciate the worth, importance, dynamics, and the community acceptance of occupational education. This type of involvement by the Board members in occupational education will remove the low prestige which is held not only by the faculty but also by the community of these programs and assure the implementation of one of the most unique functions of universal higher education.

Topic Chairman: Mr. Edgar J. Lashford
Resource Person: Dr. David Vitrogan
Topic Recorder: Mr. Samuel J. Lesante

The Role of the Trustees and Transfer Programs

[This panel met initially with one person in attendence. The group discussing Career Programs was few in numbers also, therefore, by mutual consent both groups combined. The Chairmen agreed that each topic would be limited to one half hour.]

Dr. Appleson pointed out in his presentation that Trustees have the responsibility to be concerned and informed about all programs offered at their institutions. They should create and foster a climate in which all facets of the college can function within the philosophy and toward the fulfillment of the objectives of the institution. Opportunities should be made for the Trustees to visit the various curriculums so that they do have first-hand knowledge of the programs.

The need for articulation between the new community college and senior colleges when transfer curriculums are being developed is imperative. This exchange of philosophies, course content, faculty substance, and facilities will do much to increase the confidence in each other, and to facilitate the transfer of students from one institution to the other.

It was pointed out that the Bureau of Community Colleges in conjunction with other bureaus of the Department of Education has sponsored State articulation conferences between two-year colleges and senior collegiate institutions. From these conferences has developed a better understanding of the problems involved in the transfer of students, and a more cooperative attitude on the part of two-year and senior institutions. In addition, regional and local articulation sessions further clarified the transfer issue and made possible dialogue leading to more ease in the transfer of students. Therefore, Trustees should avail themselves of the opportunity to attend articulation conferences so that they are aware of the problems involved in this process.

Innovation in programs, course content, and teaching was discussed. It was generally agreed that the community colleges were in the unique position of not being bound by the traditional regulations of many senior institutions, and hence could be more flexible and experimental in their approach to education. However, there was not carte blanche in the decision of what should be included in transfer programs from the standpoint of two-year colleges. The senior institution, the one that would or would not accept the transfer student, has a good deal to say about what would transfer. There is hope that continued meetings among the two-year and the senior institutions will lead to fuller understanding and mutual trust in the aims and objectives of both groups of educational institutions. The Trustees must understand this problem and help provide the atmosphere in which the problem can best be solved.

The importance of counseling in the community college cannot be overstressed. The Trustee must understand the open-door policy of admission brings many students to the college who need guidance both academically and psychologically. Many of these students have had a constant struggle adjusting to the academic life of schools, but they can succeed if given the proper guidance and encouragment. The counseling program can be an expensive one, but it does need support from the Trustees if the open-door policy is to be truly effective.

Surveys have pointed out that the majority of Trustees feel that community colleges should be comprehensive educational institutions, presenting

broad balanced programs of educational opportunities for the communities they serve and that the Trustee's real role should be based on the principle of accountability rather than on authority. He should understand the place of the transfer program in the overall scheme of the college; he should appreciate the problems that go with the transfer of students; and he should assist in creating an atmosphere in which these problems can best be solved.

Topic Chairman: Dr. Guy N. Harriger
Resource Person: Dr. Wallace Appleson
Topic Recorder: Mr. E. Bertrum Shaffer

The Role of the Trustees and Accreditation

The meeting of this group concerned with accreditation began with the suggestion that the Trustees, faculty and administration must be frank in all communications relating to this undertaking. Candor is of utmost importance. The Accreditation Team should be told what the real problems are and what attempts are being made to solve them.

Also stressed was the importance of having a site. The plans for developing and financing the college should at least be in the final stages. In this respect, it was not intended to infer that completed and erected college buildings are required in order to gain accreditation. It was, however, believed that accreditation would be most difficult if temporary facilities were being used without firm plans for a permanent campus.

The functions of the Steering Committee and all of the necessary task forces were reviewed as they relate to the various steps in preparation for accreditation. It was pointed out that a member of the Board of Trustees should be appointed to the Steering Committee that is selected to guide the self-study of the college in preparation for evaluation. Also discussed was the Self-Evaluation Readiness Report, along with the contents of this report, which must be sent to Middle States. The time schedule for this report was likewise reviewed.

The final Self-Evaluation report was then discussed including the breakdown of this report into its narrative form and its exhibits to support or amplify this material in its narrative form. The table of contents for such reports was reviewed.

Following this, the brief discussion centered around the appraisal of readiness and the ultimate visit by the Evaluation Team in its entirety. The report of the Evaluation Team was discussed and it was pointed out that another report following the evaluation has often been requested by Middle States in order to update the report of Self-Evaluation. This "update" report may follow the actual visit by the Evaluation Team by some three months and it may actually preceed the final Commission Hearing on accreditation by some three months.

The responsibilities of the Board of Trustees' representative on the Steering Committee were discussed. In this respect, suggestions were given in regard to his functions and limitations.

The keeping of minutes of all meetings by all committees and throughout all stages of the Self-Evaluation study was emphasized. Files should be maintained throughout the entire study so that the true development could be referred to by the Evaluation Team. Included in these files should be the development of all of the various statistics contained in the Self-Evaluation report.

The actual visitation itself by the Middle States Evaluation Team was discussed at length including the initial meeting with the Team and the interviews held at all the levels throughout the institution.

A more detailed discussion of the report of evaluation was held and the type of recommendations that one might expect to be contained therein was also brought out.

The Role of the Trustees and Accreditation - continued

Some of the additional problems which may be encountered in connection with this topic were discussed. These included problems relating to:

1. Those of the newly formed colleges;
2. Those of colleges sponsored by multiple school districts;
3. Financial backing for operation budgets;
4. Financial backing for capital budgets.

Various areas involved in the evaluation were highlighted. These included:

1. Transfer student vs. career student population;
2. Continuing education program;
3. Commitment to a two-year rather than a four-year program;
4. Avoidance of overlapping programs conducted by area vocational-technical schools;
5. Satellite campus development or non-development.

The importance of the establishment of the objectives and philosophy by the Trustees for the college was emphasized. It was suggested that these are extremely necessary and desirable statements to have in advance of the Self-Evaluation Study and the ultimate visit by the Accreditation Team.

Finally, it was suggested that colleges exchange experience and documentation so that those who have not already gone through the accreditation process would be able to reap the benefit derived from Self-Evaluation studies completed in other institutions.

Topic Chairman: Mr. Herman B. Blumenthal
Topic Recorder: Mr. Dwight A. Dundore

The Role of the Trustees and Professional Negotiations

Dr. Milton Eisenhower, a man who has recently taken a very analytical look at violence in our era of social change, is credited with a story that has a certain relevance to the topic at hand.

Destiny, he said, appeared one evening to an island people of another time and another place and announced to three of their leaders that at dawn the very next day the island would be inundated by a tidal wave which was already building up and that the island would, as a consequence, be totally and permanently submerged.

Escape, he proclaimed, was impossible.

The reaction of each of the three auditors was quite signally unique, each reflecting his own personal philosophy of life. The first, a devoutly religious man and something of a traditionalist, reflected a moment and then declaired, "I will gather my loved ones about me and we will go together to the sacred place. There we will offer up prayers and sacrifices to the gods in the hope that we may, through Devine Providence, somehow be spared the devastation that has been predicted for us."

The second, far more secular in his approach and decidedly Epicurean, announced a significantly different tact. "I will," said he, "summon all my friends to join me and we will pass the night in drink and merriment so that when the morrow comes it will find us blissfully immune to any realization of its impact."

The third deliberated only very briefly and then observed, "I will call together the wisest men of this island and we will begin at once the serious and intensive study of how to live under water."

It seems that this is fitting to our circumstance.

The basic question before us today is this. What is the proper function of a governing body in the face of the impact of a social revolution, or one aspect of it, which appears likely to transform, perhaps permanently, all previously established relationships?

The answer is that you look for precedent, you look for example, and you look for expert advice.

Example is only now beginning to emerge. Precedent <u>is</u> available in the private sector of our society, but is still very limited to the public. Expert advice is even less readily available, although many offer themselves as experts.

The advert, some five hot summers ago, of collective bargaining authorized and, indeed, mandated by law has unquestionably added greatly to the burdens of Boards of Trustees of Michigan's community colleges. It may not yet be realized by Trustees, either individually or collectively, that some of this increase in burden is of such a nature that it must be considered not only a <u>quantitative</u> increase but also a <u>qualitative</u> change as well.

Collective bargaining will, given a reasonable opportunity, become a positive, contributory and stabilizing factor in promoting the welfare of colleges in this state.

Public collective bargaining in its present primitive stages often has all the current appearance of a thoroughly disruptive influence and of an unwlecome and undesirable intrusion on Board and administrative prerogatives of long standing.

It would promote more effective and positive collective bargaining if Boards were to approach the necessity of negotiating at least tentatively adopting the assumption that contributory and productive results will be forthcoming. Sociologists and psychologists alike can demonstrate that, while it guarantees nothing, the expectation and the anticipation of productive and desirable outcomes can be conductive to the likelihood of profitable outcomes which, whatever our viewpoints, our fears or our biases, we all so genuinely desire.

This is by no means easy to do in the face of the message that has been delivered in the form of collective bargaining.

Faculty across Michigan have, in effect, said that they wish and insist on the assurance of systematic, formal, effective and continuing involvement in the basic decision-making processes of the institution. They are no longer content with a passive voice, even where such passivity as existed was a direct result of their own neglect. They are no longer satisfied with a recommendatory role, even if that role were, in the past, never exercised only because of their own reluctance or unwillingness to do so. They are no longer willing to allow for the possibility that informal power structures within a given college may parallel or even supersede the formal structure, as was once often the case.

These are not necessarily evil aspirations, and these are not basely motivated men and women who advance them. Studies by scholars dating back more than a dozen years indicate that the most professionally oriented of your staff may well be among the prime movers of what you may painfully and rightfully regard as a revolution. One such study has gone even further to declare that the increased professionalization of the faculty will serve to induce the probability of increased militancy.

Further, the legislature, the Governor, the courts, and a blue-ribbon commission within Michigan have all asserted that collective bargaining is both a legal and an appropriate process. It is incumbent on us to adhere not only to the letter of the law, but also to the spirit of the law, to assume, that is, that we not only must do it, but that we should do it.

Assuming the desirability of the creation of a positive attitude, what then?

The law normally requires and wisdom certainly dictates that the Board remain uninvolved in the processes of organizational formation and/or rivalries that may precede the posing of the bargaining question itself.

A similar stance is vital during the period of solicitation of signatures to petitions for recognition of a bargaining agent.

This will not be easy for at least two reasons. First, allegations of inequity by the Board and/or administration will commonly, almost universally, be used to encourage signatures. Second, everyone involved understands that few if any Boards prefer or even welcome the burden of bargaining. It is a fact of life that faculty and staff must come to the table by their own initiative and that

Boards will come there not of their choice but by a form of compulsion. Yet the Board, as a legally constituted body, has a vested responsibility to fulfill both the letter and the law; and the invocation of collective bargaining, if properly pursued, is a legally established and supervised process.

Assuming sufficient signatures for recognition are acquired by one or more parties, the next consideration is the delineation of the proportions of the perspective bargaining unit. This, in Michigan, may be accomplished either by consent agreement between the Board and the parties or by determination of the Michigan Employee Relations Commission, a state agency. Some advantage accrues either way, depending on specified circumstances, but generally speaking the latter course seems to be preferable. It has the inherent promise, at least, of a "cleaner" unit, after the presentation of argument, if any, before the hearings officer of the Commission.

The third phase involves recognition of the unit, once determined. This, again, may be accomplished by either the Board's consent, if it is uncontested or if some evidence of overwhelming numerical superiority of commitment can be presented, but the alterative of an election by secret ballot seems preferable, to allow each potential member of the bargaining unit to express himself definitively and privately, removed from any external pressures. The Board's only role in the election process is to pro ide such facilities or assistance as the Commission's agent may require.

Recognition achieved and bargaining status certified, the Board must now prepare itself for the bargaining process.

The first major determination of the Board is who shall represent it at the table. Let us begin by designating those who should <u>not</u> be at the table.

The Board, either collectively or individually, should preferably <u>not</u> be there, if there is a viable alternative.

The chief administrative officer should preferably not be there, again if there is a viable alternative.

No administrative officer whose effective performance depends upon a close and continuing day-to-day contact with sizeable elements of the teaching faculty should be there.

No one who does not possess, at least potentially, the attributes of a good negotiator should be there.

Obviously this represents collectively a rather substantial and significant exclusion. Obviously, too, each such exclusion deserves some individual explanation.

The Board is one of the two final and confirming authorities to any agreement. <u>Representatives</u> of the Board should meet with <u>representatives</u> of the faculty. The table is the proper place for skirmishers and not for the element of strategic command, to use a military anology. The Board must at all costs retain its prerogative to review in detachment and to evaluate propositions brought to it by its advisors and agents.

The chief administrative officer is the symbol of the entity and the unity which is the college. He has an important role to play in negotiations, but that role is not that of a negotiator. He is the primary professional advisor to the Board. If he were to act as a negotiator he would risk his image as the leader of the college -- the whole college. His challenge is a greater one -- to try to bring unity out of the controversy and the tension once the negotiating ceases. This will always be hard, but it will be much harder if he is at the table.

The exclusion of those administrative officers who work closely and continuingly with the teaching faculty is a simple matter of organizational self-interest. These men and women depend on cooperation for their success and upon a friendly relationship for their day-to-day function. Neither of these is promoted at the table, but rather contest and an adversary relationship. Respect can be achieved at the table, but it is a grudging respect, an admixture of hate and admiration.

It is not enough to say who should not be at the table; who should be there demands comment. The basic answer is simple: If, for example, the "best" happens to be one of the parties who should not preferably be there, then a value judgment must, of course be made.

The chief negotiator should be equipped basically with the following:

1. He should be thoroughly knowledgeable about the total college operation, as broadly and as specifically as possible.

2. He should have a deep understanding of the requirements of the bargaining process as well as the implications of it.

3. He should possess a feeling for the bargaining process; a conviction, for example, that compromise is a positive and productive solution to important matters; a belief that negotiation is an honorable endeavor, even, desirable, a faith that the process of collective bargaining is the best means yet devised by any democratic society for the settlement of differences of opinion between those who employ and those who are employed.

4. He would do well to have an unfailing sense of humor, including the capacity to laugh at himself.

5. He should and must have the complete confidence of the Board.

The latter point is absolutely essential. It seems many Boards and many Board members have yet to grasp one very important fact concerning the phenomonon with which we are confronted. This is the fact that the chief negotiator is a man of power -- great power, and this must be recognized by Boards and Presidents alike.

Boards must set forth the framework within which their negotiators are to work. They must set down rather specific guidelines in several respects. They must make clear to the negotiators how they, the Board, react to each demand presented by the bargaining agent. But then the Board must provide the negotiator with latitude.

For the Board has not created an errand boy or a messenger boy when it appoints a negotiator. It has activated an agent -- with all the powers of agency. The Board may establish guidelines, the Board will express itself unmistakably, the Board should set limits, the Board should offer whatever advice it wishes and the Board may certainly discharge the negotiator if it is dissatisfied with him. But the Board should not tie his hands and the Board must not try to tell him how to do what he is doing. The relationship must be something akin to that between a patient facing surgery and the surgeon. At the door of the surgical ampitheatre the direction stops, and the professional takes over. If he is not worthy of this confidence, he is not worthy of this undertaking and might well better not be employed.

In effect the Board must say, "You know what we want and the order in which we want it. You know how we feel about what the bargaining agent wants and the relative strengths of our feelings. We have confidence that you will represent us. Go do it. Keep us informed." This, in effect, is the authority to bargain which any team must have.

A realistic Board knows it will not get all it wants and it knows that it will concede things it would much rather not but it also knows that the extent of either of these is primarily dependent on the quality of its chief negotiator.

It is a risk. The negotiator is capable of gross error and great harm. But, if he is a real negotiator, it is a calculated risk, and a most necessary one.

The good negotiator is capable of anticipation. He is seldom surprised by any specific demand on the bargaining group. And, going into negotiations, he should have a pretty clear idea of what the settlement area is going to be -- even if this concept should be absolutely alien to the Board. It is, and this must be said, as much his burden to bring the Board to the threshhold of reality as it is to bring the bargaining group to the same point.

To do either, the negotiator must be flexible. He must avoid impasse to the utmost extent possible, always leaving himself "wiggle room." At the same time he must be prepared to be firm, when it is called for. He must be prepared to face, with equanimity, anger, question, challenge of the ligitimacy of his birth, threat of strike and even the fact of strike itself. But above all, he must possess the keen sense of judgment as to when to be firm and when to be flexible.

He must be impervious to pressure, either from the Board or the adversary. To do this he must regard himself as expendable. If he values his position more than he values his function he isn't worth his salt.

Yet the Board is far from silent or absent in the proceedings. It plays a very vital role. The Board should react to each and every demand presented to it by the contending party always, of course, with administrative recommendation. The negotiator should know the sense of the Board on all substantive matters.

The Board should do more, much more. It should, in conjunction with the administration, formulate unmistakably the demands it wishes to achieve at the table. The Board is an active participant in bargaining and not just a passive one. The Board which makes a consession, seeking only the withdrawal of some other union demand in return, is eroding its resources and its prerogatives without benefit and certainly faces inevitable exhaustion of those resources.

Collective bargaining is, after all, dedicated to the proposition that a balance of power should exist at the negotiating table. If there is not a balance of power at the table, it is because one party, usually the Board, has failed to bring it there either out of ignorance or ineptitude. Collective bargaining is a matter of "give and take" -- but not we give and you take, or vice-versa, but rather we give and take and you give and take. This is the most unrecognized aspect of bargaining, and this lack of recognition is the reason for much of the antipathy for the process.

To repeat, the Board must formulate its demands and, further, it must place a priority order on its damands, so the negotiator will know clearly what he is sent out to achieve. These objectives sought by the Board had better be extremely well considered and aimed as absolutely best they can be to the direct purpose of the provision of the highest quality education possible for the greatest number of students that can be accommodated, within the reality of the budget limitations the Board faces.

But the negotiator must not be expected to perform miracles. To assume he can say no to each demand with which he is confronted and to achieve a yes to every demand he advances is unwarranted, unreasonable and unintelligent, and is thus unworthy of any Board of Trustees.

Once the demands of the bargaining group are reviewed and the demands of the Board are determined and placed in priority order, the task of the Board does not end. The Board should undertake to keep reasonably abreast of what is transpiring in negotiations. Frequent and continuing consultations with the negotiator will, and must, occur.

Yet there are definite problems here.

It is difficult, if not impossible, for the negotiator to report progress at the table. The best one can do is communicate a general feeling for what is going on.

First, all agreement achieved at the table is tentative. Any matter may be readjusted, even substantially, at the last moment in order to wrap up a complete "package" agreement. Not to do this is to reduce flexibility and impede final solution.

Second, all disagreements, even the most violent, that occur at the table are also tentative and must be so regarded. As settlement approaches, no matter how late in the game, positions evaporate almost instantaneously and issues which have been bluntly and sincerely declared as a "strike issue" for extended periods of time are most casually abandoned.

Further, session after session may be without movement at all. Yet these may be the absolutely necessary prerequisite of movement when it does come.

So a report on "where we are" doesn't really mean much in terms of "where we're going to end up," which is really what the Board is interested in. Weeks of deadlock can be resolved in literally minutes.

Third, so much of what transpires at the table so flagrantly defies rational analysis that it is doubtful if it can be faithfully reproduced in any meaningful manner. Oh, an experienced negotiator can report the words exchanged,

but the words may be the least important aspect of the communications media at the table, and a repetition of them may actually distort and misrepresent what is happening.

It's not what is said, but When and how and why and by whom it is said that really counts, and even more significant it is what is not said that really counts. It is reactions, and expressions and physical movements and silences and many other signals that the negotiator "reads" as the truly significant mile-posts on the road to settlement. It is the summary statement that follows the exhaustion of the emotions that reveals "Progress" or the lack of it. It is an intuitive sense of what's happening, whether, for example, a word or a phrase can be seized upon as a basis for a wrap-up, that lets a negotiator know that he is or is not over the hump on the issue or on a package.

These things simply cannot be communicated to a constituency, no matter how well-meaning the reporter.

Fourth, there are things a good negotiator won't, and simply shouldn't tell you. He will, if he knows his job, have many private conservations. He will judiciously share confidences, if he can, and he will not violate these -- he dare not violate these. This is especially true as settlement approaches.

This, in fact, is how settlement usually approaches.

Most agreements of a comprehensive nature which are made at the table are preceded by conversations away from the table. Just as you expect the negotiator to honor the confidentiality of what you discuss with him, you must grant him the privilege of the confidentiality of what he undertakes in your behalf.

Assuming the bargaining process proceeds, we inevitably come to the question of whether an agreement is achieved or whether a breakdown occurs -- and breakdowns will occur. The worst manifestation of such a breakdown is, of course, a strike.

Should this happen the pressure intensifies almost, but not quite, to the unbearable point. Lack of stability at this stage can do immeasurable harm. Stability can do immeasurable good. This is a testing time -- a finding out of who really means what.

Pressures which have previously come to bear on the negotiating team now tend to concentrate on the Board.

If the Board intervenes directly it invites a whirlwind. At this stage a third party of some sort may well serve a useful purpose -- as either a catalyst or an active agent. But, for the Board, this is basically a time of testing whether or not it relies on its negotiator. Its best course is to do so without wavering.

The conduct of the Board in a strike situation is the greatest single determinant of whether there will be a repetition of the strike at any future date.

A strike may not be a period of great activity. It may be a period of dead calm, and this is very hard to take. We at the table engage in "watchful

waiting" and what we're watching for and waiting for is the first, faintest "blink" as we stand eyeball to eyeball.

The Board should, of course, act as a unit in all matters. At such a critical point, however, the Board must act as a unit. Individual conduct or comments of any kind by a Board member, however casual, can be totally destructive of any productive potential.

But what of the alternative to the strike? Is accomplishment of agreement at the table the end of it all? Not by any stretch of the imagination!

The Board, in its review of the agreement brought to it by its negotiators, will be sorely disappointed. Its demands may, almost certainly, will be compromised and possibly diluted. Consessions will have been made that are objectionable, to the Board in toto, or to individual members of the Board.

This tends to be in the nature of things.

It is the peculiar burden of the negotiator that he will almost invariably bring back to his constituency an unsatifactory document. The crucial question is whether the document is equally unsatisfactory to the other party. If this is the case the negotiator has done his work well, no matter how little it may be appreciated.

The Board should recognize this, but whether it will or will not is another matter. Boards are amazingly human. And what if they don't? Or, what if it should prove to be, by the most objective analysis possible, not a mutually unsatisfactory document or, from the Board's view, a sufficiently satisfactory one?

The Board still has an option. It can decline to ratify. This is clearly a prerogative, as it is similarly a prerogative of the bargaining group membership.

The consequences of such a refusal to ratify are, of course, extremely serious, and should be carefully weighed.

A negotiator who is aware in advance of the possibility of non-ratification by the Board should make this possibility very clear to the other party before he leaves the table. A negotiator who is surprised by a Board vote of non-ratification probably hasn't done his homework well enough. He should have a pretty firm grasp of the attitude of the Board by this time.

But if the Board should decline to ratify, while the specific reasons for the refusal should be made crystal clear to the negotiator, the document should be rejected as a whole and returned to the table intact. The Board would be ill-advised to extract one or two items, ratify the rest, and insist on consessions regarding the remainder.

There are valid reasons for this view.

First, the achievement of a settlement package is usually a bundle of compromises. Not only is there compromising within individual matters, but there is often compromise between individual matters. Item A, for example, may be modified somewhat in exchange for some modification of item K and/or deletion of

item I. Item X may have been deleted in exchange for a modified version of item Q. The permutations are almost, but not quite, infinite. If the Board should insist that one of these items be changed the total balance should be upset and this may require extremely complicated reconstruction. This reconstruction is a job of the negotiating parties.

Second, if the Board should limit the number of items it sends back to the table, it restricts the latitude and flexibility of its own negotiator. There is nothing quite so difficult as the resolution of one item in isolation. "Wiggle room" is virtually gone. To have this occur at the tail end of negotiations which have been emotionally and physically exhausting is almost beyond endurance.

Obviously this whole bargaining process is a burden. The Board is confronted with the necessity of many meetings and this is much to ask. But it is not too much to ask, for Board members are, by their very nature, public servants with a high sense of commitment.

There are also some considerations of a general nature. First, Boards must disabuse themselves of the illusion that what is "right" will or should be done at the table. This is, in the final analysis, a confrontation of power. "Might," not "right," is the basic issue here. It is not a process for idealists or visionaries or dreamers. Many teachers invoking collective bargaining make this tremendous error. Collective bargaining is rather a process by which practical men face practical problems and arrive at practical solutions in a practical way. The function of power is to coerce, and the only practical means to confront power effectively and basically is to decline to be coerced.

Second, many Boards and many more administrators are exposed in their contact with collective bargaining, to conflict with some of their most basic biases concerning education. They have a definite right to hold to those biases as individuals, but as collective office holders there is an obligation to first recognize that they are, in fact, individual biases and second evidence some attempt to rise above them. Many are still debating whether or not collective bargaining is appropriate to education or to any profession. This may have been a current question in 1965, but it's a deal issue in 1970 in Michigan.

God knows we have no right to expect Boards to answer all the questions of-1970, but should we not at least expect them to be asking themselves the questions of 1970? The question of 1970 for us is how we can make the process of collective bargaining work for the good of Michigan's community colleges.

We can begin by regarding collective bargaining, which is after all invoked only by the will of the faculty as a respectable process and we can contribute to making it as productive a process as possible.

We can continue by generating respect for not only our own conduct in negotiations, but for our adversaries as well. There is a distinct difference between an adversary relationship and a relationship of hostility. The legal profession has demonstrated this to us. Every meeting in court between contending attorneys is an adversary relationship, a spirited and vigorously pursued adversary relationship -- but the professional standing of attorneys remains unblemished because of it and the personal relationships between attorneys are unaffected by it. Faculty has begun to invoke a legally provided mechanism for the remedy of inadequacies, whether they be real or imaginary. Whatever the

individual excesses may be, we can remember that and we must remember that!

We can draw too on the experience of the private sector of our society, where the initial stages saw hostility and violence, turbulence and upheaval far, far beyond anything we can ever envision for ourselves in our wildest dreams. Yet, today it can be said of the private sector that responsible management has come to regard collective bargaining as a stabilizing factor and a contributory and productive development, and we can ask ourselves, as well as our associates in the private sector, why and why it shouldn't apply in some proportion to us, in the public section as well.

We can seek to develop, or support the development of, programs constructively aimed at the increasing sophistication of bargaining on both sides of the table. It is appalling, is it not, to consider the absence of this after more than five years of bitter experience in Michigan. Oh, there are meetings about it, and there are articles about it, but where are there attempts being made for the training of negotiators? Boards are in better positions than teacher groups to call on colleges of education to begin, at least, to attempt to supply them.

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